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Oswald's widow testifies

Husband's grave may lie empty, Mrs. Porter says

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FORT WORTH — Marina Oswald Porter, wife of the man accused of assassinating President John F. Kennedy, told a state district judge Friday she wants the body in Lee Harvey Oswald's grave exhumed because she believes the grave may be empty.

Mrs. Porter testified before Dist. Judge James E. Wright the controversy concerning whether the body is that of Oswald or a Russian secret agent, as British author Michael Eddowes contends, has caused her family a great deal of emotional stress.

Her testimony came during a hearing for a temporary injunction to bar efforts to exhume the body in the Rose Hill Burial Park. Robert Oswald, Lee Harvey Oswald's older brother, has sued Eddowes and the cemetery to prevent an exhumation.

MARINA PORTER

Says she struggled over decision.

Mrs. Porter read from a prepared statement, saying her English was not good enough to express herself. Mrs. Porter came from the Soviet Union to the United States with her husband in 1962.

Mrs. Porter said she signed an exhumation request also to settle the question of the body's identity.

"This is one theory that would have a very simple answer," Mrs. Porter said. "If it is true, then my children and I are illegal aliens."

Mrs. Porter and Oswald had two children, now 16 and 18, she testified. The older one is in college in Austin and the other lives at home.

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Mrs. Porter refused to say unequivocally that she believes the body is that of Lee Harvey Oswald, but she said she is certain the person buried was her husband.

"I met a gentleman in Russia by the name of Lee Harvey Oswald," she testified. "That is the same man that is buried there. I believe the person buried in it is the person I was married to."

But she said she questions whether a body is even in the grave.

"I strongly believe in the possibility of a body not being there," she said.

She said a commotion occurred at the funeral and she heard a rumor that the body had been stolen.

Several months later, she said, she gave her consent to someone who wanted to place an electronic device on the grave to detect disturbances.

Mrs. Porter said she ignored the first letter from one of Eddowes' attorneys, Jerry Pittman, asking her to consider approving the exhumation.

After several more letters and phone conversations, Mrs. Porter said, she agreed to sign an exhumation request.

"It was a very hard decision for me to make," she said. "It wasn't made for publicity or financial gain."

Robert Oswald has said Eddowes and others involved in the exhumation plans are seeking financial gain. He originally included Mrs. Porter in the suit but later asked the judge to drop her as a defendant.

"With all respect to Robert, very few times have my feelings been considered," Mrs. Porter testified.

Eddowes' attorney in the suit, John Collins, questioned Oswald about his financial gain from his brother's death.

Oswald testified under cross-examination that he made $3,000 from a book about his brother in the late 1960s and $15,000 from a condensation in *Look* magazine.

Collins pointed out in cross-examination that Oswald has asked for $300,000 in damages from the lawsuit against Eddowes and the cemetery and $1 million from a lawsuit against CBS for invasion of privacy in using his character in a television movie about the assassination.

Oswald also testified he was certain the body in the grave was that of his younger brother.

He said he visited Lee Harvey Oswald in the Dallas city jail Nov. 23, 1963, and saw the body at the grave site shortly before the burial Nov. 25.

Dr. Charles Petty, chief medical examiner for Dallas County, testified he became involved in the exhumation plans when Mrs. Porter asked him to perform the examination.

"She told me she really didn't have much question as to the identity, but that she thought the procedure might settle the questions that have been raised," Petty said after he testified.

He said he agreed to perform the autopsy because of her concern.

"This woman appealed to me," Petty said. "This is the appeal of a person for help."

Petty said he would perform the autopsy as a private physician and that he has not invoked the authority of his office to support the exhumation request.

"I was not convinced there was the necessary amount of proof to put into action the safeguards of the medical examiner's office," Petty said.

Testimony in the hearing will continue at 9 a.m. Monday, after which Wright is expected to make his ruling on the injunction.